

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Criminal Action No.
3:05-MJ-201 (DEP)

DAVID J. FALSO,

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE GOVERNMENT:

HON. GLENN T. SUDDABY
United States Attorney
Northern District of New York
15 Henry Street
Binghamton, New York 13901

MIROSLAV LOVRIC, ESQ.
Assistant U.S. Attorney

FOR DEFENDANT:

SUBEN LAW OFFICES
One North Main Street
3rd Floor
Cortland, New York 13045

MARK D. SUBEN, ESQ.

DAVID E. PEEBLES
U. S. MAGISTRATE JUDGE

ORDER

Having received and considered an application by the defendant, who has been ordered detained pending trial in connection with this matter, for re-opening of the detention hearing previously held, based upon the existence of new, material information not known to the defendant at the time of the hearing, and the court finding good cause therefore, it is hereby

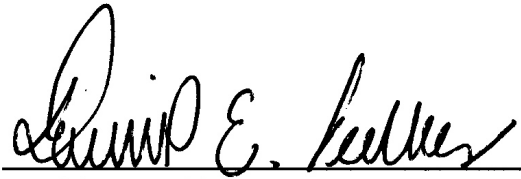
ORDERED, as follows:

1) A hearing will be conducted on September 9, 2005 at 10:00 am at the United States Courthouse in Binghamton, New York in connection with the defendant's application for reconsideration of the court's detention order, dated June 16, 2005 (Dkt. No. 8).

2) The clerk is directed to docket the materials submitted by defendant's counsel under cover of his letter dated August 24, 2005.

3) The reports of Dr. Damian Vallelonga and Dr. Norman Lesswing, filed as part of defendant's application for reconsideration, shall be filed under seal in light of the sensitive and confidential nature of the contents of those reports.

4) The clerk is directed to promptly forward copies of this order to counsel for the parties via electronic means.

A handwritten signature in black ink, appearing to read "David E. Peebles", written over a horizontal line.

David E. Peebles
U.S. Magistrate Judge

Dated: September 1, 2005
Syracuse, NY